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mwe.com

Paul Ferrillo
Attorney at Law
pferrillo@mwe.com
+1 212 547 5329

February 20, 2020

VIA ECF

The Honorable John G. Koeltl
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

APPLICATION GRANTED.
THE CONFERENCE OF FEBRUARY 25,
2020, IS ADJOURNED PENDING ORAL
ARGUMENT ON THE MOTION.

SO ORDERED.

Re: *Hidalgo v. Amateur Athletic Union of the United States, Inc.*, Case No. 1:19-cv-10545

Dear Judge Koeltl:

We represent the defendant, Amateur Athletic Union of the United States, Inc. ("Defendant" or "AAU"), in the above-referenced case. We write to request an adjournment of the initial conference currently scheduled for February 25, 2020 at 4:30 p.m. Defendant has not previously requested an adjournment of the initial conference. We have conferred with Plaintiff's counsel, who takes no position with respect to our request.

AAU is a non-profit, volunteer, multi-sport event organization dedicated exclusively to the promotion and development of amateur sports and physical fitness programs for youths and adults. In this putative class action, Plaintiff alleges that AAU failed to take reasonable steps to protect payment information when Plaintiff applied to be a coach at an AAU-sponsored event.

On January 7, 2020, AAU filed a motion to compel arbitration and to stay the action (the "Motion to Compel Arbitration"), arguing that Plaintiff assented to a broad arbitration provision that covers the instant dispute. [ECF Nos. 10-12.] Also on January 7, 2020, the parties filed a joint letter requesting, as relevant hereto, that the Court extend the time by which AAU must move against, or otherwise respond to, the Complaint until thirty days after the Court's ruling on the Motion to Compel Arbitration. [ECF No.12.] In the event that AAU was required to respond to the complaint, the parties requested a pre-motion conference on a motion to dismiss the complaint. (*Id.*) The parties stated in their letter that their joint proposal were "[i]n the interests of efficiency and judicial economy," as there would be no need for the parties or the Court to expend any resources on the motion to dismiss if the Motion to Compel Arbitration were granted.

On January 8, 2020, this Court granted the parties' application (the "January 8 Order"). [ECF No. 13.] The Court stated that "[b]ecause the time to move or answer is stayed until 30 days after decision of the Motion to Compel arbitration, there is no need to address the request for a pre-motion conference." (*Id.*)

The same considerations are present in AAU's instant request. The Motion to Compel Arbitration will have been fully briefed by February 28, 2020. This Court's determination of the Motion to Compel

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Arbitration will fundamentally impact the trajectory of the case. In light of this fact and the January 8 Order, and in order to avoid incurring additional expenses in connection with this matter that may prove to be unnecessary, AAU respectfully requests that Your Honor stay the pretrial conference of this matter until 30 days following Your Honor's ruling on the Motion to Compel Arbitration.

Respectfully submitted,

/s/ Paul Ferrillo
Paul Ferrillo

Cc: Counsel of Record (via ECF)